

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JUNIUS LEISURE,)	
)	
Plaintiff)	
)	Civil Action
v.)	No. 10-cv-07565
)	
STATE OF PENNSYLVANIA DEPARTMENT)	
OF CHILD YOUTH SERVICES,)	
WILINA GONZALEZ)	
SHEA KINSEY, and)	
JESSICA HAMBY,)	
)	
Defendants)	

O R D E R

Now, this 30th day of March, 2012, upon consideration
of the following documents:

- (1) Defendants' Motion to Dismiss filed by defendants Wilina Gonzalez, Shea Kinsey, and Jessica Hamby on August 26, 2011 (Document 18); together with,
 - (a) Memorandum of Law in Support of Defendants' Motion to Dismiss (Document 18-5);
 - (b) Memorandum Opinion and Decree entered by Judge Jay J. Hoberg of the Court of Common Pleas of Lancaster County, Pennsylvania, Orphans' Court Division, in In re S.R.C., Case No. 0421 of 2008, and In re F.R.L., Case No. 0917 of 2008, which Memorandum Opinion and two Decrees were executed by Judge Hoberg on May 19, 2009 and attached as Exhibit A to defendants' motion to dismiss (Document 18-1);
- (2) Plaintiff's Motion for Leave to File a Second Amended Complaint, Memorandum of Points and Authorities in Support Thereof, which motion for leave was filed by plaintiff pro se on January 24, 2012 (Document 25); together with,
 - (a) Exhibit A, 2nd Amended Complaint (Documents 25-1 and 25-2);

- (3) Defendants' Memorandum of Law in Opposition to Plaintiff's Motion to Amend, which memorandum was filed by defendants Wilina Gonzalez, Shea Kinsey, and Jessica Hamby on February 7, 2012 (Document 26);
- (4) Amended Complaint filed by plaintiff pro se on May 9, 2011 (Document 13);
- (5) Motion for Extension of Time to Oppose the Defendants' Motion in Opposition of Plaintiff's Motion to Amend (First Request), which motion for extension was filed by plaintiff pro se on February 13, 2012 (Document 27); and
- (6) Motion to Substitute the "Proposed Amended Complaint" for The Correct "Proposed" Amended Complaint (First Request), which motion to substitute was filed by plaintiff pro se on February 17, 2012 (Document 28);

and for the reasons expressed in the accompanying Opinion,

IT IS ORDERED that the motion to dismiss filed by defendants Wilina Gonzalez, Shea Kinsey, and Jessica Hamby is granted.

IT IS FURTHER ORDERED that plaintiff's Amended Complaint is dismissed without prejudice for plaintiff to file a second amended complaint in accordance with the accompanying Opinion on or before May 31, 2012.

IT IS FURTHER ORDERED that plaintiff's pro se motions for leave, for extension of time, and to substitute are each dismissed as moot.

BY THE COURT:

/s/ James Knoll Gardner
James Knoll Gardner
United States District Judge